

SECOND REGULAR SESSION

# HOUSE BILL NO. 2043

100TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BAKER.

4591H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To amend chapter 1, RSMo, by adding thereto one new section relating to the adoption protection act.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 1, RSMo, is amended by adding thereto one new section, to be known as section 1.260, to read as follows:

**1.260. 1. (1) This section shall be known and may be cited as the "Adoption Protection Act".**

**(2) As used in this section, "child placing agency" means any person licensed under section 210.486, other than the parents, who places a child outside the home of the child's parents or guardian or advertises or holds himself or herself out as performing such services, excluding the attorney, physician, or clergyman of the parents.**

**2. Notwithstanding any other provision of law and to the extent allowed by federal law, no child placing agency shall be required to perform, assist, counsel, recommend, consent to, refer, or otherwise participate in any placement of a child for foster care or adoption if the proposed placement of such child violates such agency's sincerely held religious beliefs.**

**3. No child placing agency shall be denied a license, permit, or other authorization, or the renewal thereof, or have any such license, permit, or other authorization revoked or suspended by any state agency or any political subdivision of the state solely because of the agency's objection to performing, assisting, counseling, recommending, consenting to, referring, or otherwise participating in a placement that violates such agency's sincerely held religious beliefs.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18           **4. No child placing agency, solely because of such agency's objection to performing,**  
19 **assisting, counseling, recommending, consenting to, referring, or otherwise participating**  
20 **in a placement that violates such agency's sincerely held religious beliefs, shall be denied:**

21           **(1) Participation in any program operated by the children's division in which child**  
22 **placing agencies are allowed to participate; or**

23           **(2) Reimbursement for performing foster care placement or adoption services on**  
24 **behalf of an entity that has a contract with the children's division as a case management**  
25 **contractor.**

26           **5. Refusal of a child placing agency to perform, assist, counsel, recommend, consent**  
27 **to, refer, or otherwise participate in any placement that would violate such agency's**  
28 **sincerely held religious beliefs shall not form the basis for the imposition of a civil fine or**  
29 **other adverse administrative action or any claim or cause of action under any state or local**  
30 **law.**

31           **6. A child placing agency's sincerely held religious beliefs shall be described in such**  
32 **agency's organizing documents, its written policies, or such other written document**  
33 **approved by the governing body of such agency.**

34           **7. The provisions of this section shall not apply to any entity while such entity has**  
35 **a contract with the children's division as a case management contractor.**

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